

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

<b>CORY COUNSELMAN and KELLIE COUNSELMAN</b>	§ § § § § §	<b>PLAINTIFFS</b>
<b>v.</b>		<b>CAUSE NO. 1:06cv722-LG-JMR</b>
<b>COUNTRYWIDE HOME LOANS, INC.</b>		<b>DEFENDANT</b>

**ORDER GRANTING DEFENDANT' S MOTION TO DISMISS**

BEFORE THIS COURT is Defendant Countrywide Home Loan, Inc.' s [17] Motion to Dismiss, filed October 14, 2008. Plaintiffs Cory and Kellie Counselman have not responded in opposition. On April 6, 2007, the Court ordered the Counselmans to submit their claims to arbitration. Subsequently, they filed their claim with the National Arbitration Forum. On August 21, 2008, Arbitrator Michael K. Graves, Esquire found that the case should be dismissed with prejudice. Therefore, having considered the motion, the record and ruling by the arbitrator, and relevant legal authority, the Court finds that this cause should be dismissed.

**IT IS THEREFORE ORDERED AND ADJUDGED**, that Defendant' s [17] Motion to Dismiss should be, and is hereby **GRANTED**. A separate judgment will be entered herein in accordance with this Order as required by FED. R. CIV. P. 58.

**SO ORDERED AND ADJUDGED** this the 3<sup>rd</sup> day of November, 2008.

*s/ Louis Guirola, Jr.*  
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LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE